IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group Art Unit: 3733

Examiner: David C. Comstock

Applicant: Tushar Patel et al.

Application No.: 10/609,123, Conf. # 6697

Filed: June 27, 2003

October 5, 2009

Entitled: TISSUE RETRACTOR AND DRILL GUIDE

Docket No.: 101896-178 (DEP5100USNP)

Certificate of Transmission (37 C.F.R. J.8(a))

I hereby certify that this correspondence is being electronically filed via EFS-Web to: MS AMENDMENT, Commissioner for

Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date set forth below.

Date of Signature and Mail Deposit

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Attorney for Applicant(s)

MS Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

AMENDMENT AND RESPONSE TO OFFICE ACTION

Dear Sir:

This communication is in response to the Office Action dated July 8, 2009.

Amendments to the Claims begin on page 2 of this paper.

Remarks begin on page 6 of this paper.